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 3 KEARNEY, JOHNSON & THOMPSON  
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*Electronically Filed on  
 February 8, 2007*

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 10 *Attorneys for Santoro, Driggs, Walch,  
 11 Kearney, Johnson & Thompson*

12  
 13 **UNITED STATES BANKRUPTCY COURT  
 14 DISTRICT OF NEVADA**

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 16 In re:  
 17 USA COMMERCIAL MORTGAGE f/k/a USA CAPITAL, et  
 18 al.,  
 19 Debtor.

20 Case No. BK-S-06-10725-LBR  
 21 Chapter 11

22 In re:  
 23 USA CAPITAL REALTY ADVISORS, LLC,  
 24 Debtor.

25 Case No. BK-S-06-10726-LBR  
 26 Chapter 11

27 In re:  
 28 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
 29 Debtor.

30 Case No. BK-S-06-10727-LBR  
 31 Chapter 11

32 In re:  
 33 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 34 Debtor.

35 Case No. BK-S-06-10728-LBR  
 36 Chapter 11

37 In re:  
 38 USA SECURITIES, LLC,  
 39 Debtor.

40 Case No. BK-S-06-10719-LBR  
 41 Chapter 11

42 Affects:  
 43  All Debtors  
 44  USA Commercial Mortgage Co.  
 45  USA Securities, LLC  
 46  USA Capital Realty Advisors, LLC  
 47  USA Capital Diversified Trust Deed  
 48  USA First Trust Deed Fund, LLC

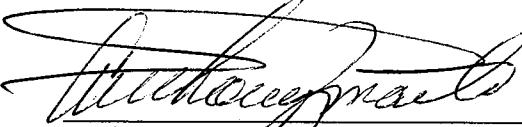
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**NOTICE OF WITHDRAWAL OF  
 50 PROOF OF CLAIM and  
 51 CERTIFICATE OF SERVICE**

52 Date of Hearing: N/A  
 53 Time of Hearing: N/A

1 NOTICE IS HEREBY GIVEN that Santoro, Driggs, Walch, Kearney, Johnson &  
2 Thompson hereby withdraws its Proof of Claim No. 80 dated November 8, 2006 in the amount  
3 of \$690.81 filed in Case No. BK-S-06-10728-LBR.

4 Dated this 8 day of February, 2007

5 **SANTORO, DRIGGS, WALCH,  
KEARNEY, JOHNSON & THOMPSON**

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7  
8 Anthony A. Zmaila, Esq. (NV Bar No. 2319)  
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10 *Attorneys for Santoro, Driggs, Walch,  
Kearney, Johnson & Thompson*

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SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON  
400 South Fourth Street, Third Floor, LAS VEGAS, NEVADA 89101  
(702) 791-0308 - FAX (702) 791-1912

**CERTIFICATE OF SERVICE**

**Do not use this form to prove service of summons and complaint. To prove service of a summons and complaint use the certificate in the court form entitled "Adversary" - Summons and Notice of Scheduling Conference in an Adversary Proceeding" which is available on the court's website at [www.nvb.uscourts.gov](http://www.nvb.uscourts.gov).**

1. On February 8, 2007, (date) I served the following document(s) (specify)

## Notice of Withdrawal of Proof of Claim

2. I served the above-named document(s) by the following means to the persons as below:

**(Check all that apply)**

a. **ECF System** (*You must attach the "Notice of Electronic Filing", or list persons and addresses and attach additional paper if necessary*)

b. **United States mail, postage full prepaid**  
(*List persons and addresses. Attach additional paper if necessary*)

c. **Personal Service** (*List persons and addresses. Attach additional paper if necessary*)

I personally delivered the document(s) to the persons at these addresses:

- For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.
- For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.
- d. **By direct e mail (as opposed to through the ECF System)**  
(List persons and email addresses. Attach additional paper if necessary)

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

e. By fax transmission (List persons and fax numbers. Attach additional paper if necessary)

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

f. By messenger (List persons and addresses. Attach additional paper if necessary)

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. *(A declaration by the messenger must be attached to this Certificate of Service)*

1                   **I declare under penalty of perjury that the foregoing is true and correct.**  
2

3                   Signed on (date): Feb 8, 2007  
4

5                   Mary A Barnes  
6

7                   (NAME OF DECLARANT)  
8

9                   Mary A Barnes  
10

11                   (SIGNATURE OF DECLARANT)  
12

13                   SANTORO, DRIGGS, WALCH, KEARNEY, JOHNSON & THOMPSON  
14                   400 SOUTH FOURTH STREET, THIRD FLOOR, LAS VEGAS, NEVADA 89101  
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